

# State of South Dakota

## EIGHTY-SIXTH SESSION LEGISLATIVE ASSEMBLY, 2011

394S0437

### HOUSE BILL NO. 1149

Introduced by: Representatives Gosch, Blake, Bolin, Brunner, Conzet, Gibson, Hansen (Jon), Hunt, Kirkeby, and Liss and Senators Cutler, Begalka, Brown, Frerichs, Olson (Russell), Peters, and Rave

1 FOR AN ACT ENTITLED, An Act to allow legal residents of the United States to obtain a  
2 concealed pistol permit.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 23-7-7.1 be amended to read as follows:

5 23-7-7.1. A temporary permit to carry a concealed pistol shall be issued within five days of  
6 application to a person if the applicant:

7 (1) Is eighteen years of age or older;

8 (2) Has never pled guilty to, nolo contendere to, or been convicted of a felony or a crime  
9 of violence;

10 (3) Is not habitually in an intoxicated or drugged condition;

11 (4) Has no history of violence;

12 (5) Has not been found in the previous ten years to be a "danger to others" or a "danger  
13 to self" as defined in § 27A-1-1 or is not currently adjudged mentally incompetent;

14 (6) Has physically resided in and is a resident of the county where the application is



- 1           being made for at least thirty days immediately preceding the date of the application;
- 2       (7)   Has had no violations of chapter 23-7, 22-14, or 22-42 constituting a felony or
- 3           misdemeanor in the five years preceding the date of application or is not currently
- 4           charged under indictment or information for such an offense;
- 5       (8)   Is a citizen or legal resident of the United States; and
- 6       (9)   Is not a fugitive from justice.
- 7       A person denied a permit may appeal to the circuit court pursuant to chapter 1-26.